

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 07-1112

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IN RE: Lord Abbett Mutual Funds Fee litigation,  
JOSEPH C. WHITE; JOSEPHINE LOGAN; RICHARD CURTIS;  
BO BORTNER; JAMES A. PINGITORE; PHILIP B. KATZ,

Appellants.

v.

LORD ABBETT & CO LLC; LORD ABBETT  
DISTRIBUTOR LLC; TRACIE E. AHERN;  
JOAN A. BINSTOCK; DANIEL E. CARPER; ROBERT S. DOW;  
HOWARD E. HANSEN; PAUL A. HILSTAD; LAWRENCE H. KAPLAN;  
ROBERT G. MORRIS; A. EDWARD OBERHAUS, III;  
EDWARD K. VON DER LINDE; MICHAEL BROOKS;  
ZANE E. BROWN; PATRICK BROWNE; JOHN J. DICHiaro;  
SHOLOM DINSKY; LESLIE J. DIXON; KEVIN P. FERGUSON; ROBERT P.  
FETCH; DARIA L. FOSTER; DANIEL H. FRASCARELLI;  
ROBERT I. GERBER; MICHAEL S. GOLDSTEIN; MICHAEL A. GRANT;  
CHARLES HOFER; W. THOMAS HUDSON; CINDA HUGHES;  
ELLEN G. ITSKOVITS; MAREN LINDSTROM; ROBERT A. LEE;  
GREGORY M. MACOSKO; THOMAS MALONE; CHARLES MASSARE, JR.;  
STEPHEN J. MCGRUDER; PAUL MCNAMARA; ROBERT J. NOELKE;  
R. MARK PENNINGTON; WALTER PRAHL; MICHAEL ROSE;  
ELI M. SALZMANN; DOUGLAS B. SIEG; RICHARD SIELING;  
MICHAEL T. SMITH; RICHARD SMOLA; DIANE TORNEJAL;  
CHRISTOPHER J. TOWLE; MARION ZAPOLIN

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On Appeal from the United States District Court  
for the District of New Jersey  
(D. C. Nos. 04-cv-00559; 04-cv-00965; 04-cv-01055;  
04-cv-01057; 04-cv-01209 and 04-cv-01365)  
District Judge: Hon. William J. Martini

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Argued on June 25, 2008

Before: SLOVITER, BARRY and ROTH, Circuit Judges

**JUDGMENT**

This case came on to be heard on the record before the United States District Court for the District of New Jersey and was argued on June 25, 2008.

On consideration whereof,

**IT IS ORDERED AND ADJUDGED** by this Court that the judgment of the District Court entered January 3, 2007, be and the same is hereby vacated and remanded for further proceedings. Costs taxed against Appellees.

All of the above in accordance with the Opinion of this Court.

**ATTEST:**

/s/ Marcia M. Waldron  
Clerk

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Dated: January 20, 2009

